

RESOLUTION NO. 26637

A RESOLUTION AUTHORIZING LARRY CRANE TO USE TEMPORARILY THE 806 BROWNS FERRY ROAD PUMP STATION PROPERTY FOR ACCESS ACROSS CITY EASEMENT DURING HIGH WATER, SUBJECT TO CERTAIN CONDITIONS.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CHATTANOOGA, TENNESSEE, That LARRY CRANE, (hereinafter referred to as "Temporary User") be and is hereby permitted to use temporarily the 806 Browns Ferry Road Pump Station Property for access across City easement during high water.

BE IT FURTHER RESOLVED, That said temporary usage shall be subject to the following conditions:

1. Temporary User shall execute the Indemnification Agreement attached hereto in favor of the City of Chattanooga, its officers, agents and employees for any and all claims for damages for injuries to persons or property related to or arising out of the temporary usage.
2. Temporary User agrees to vacate the property and temporary use upon reasonable notice from the City to do so.
3. Temporary User shall provide adequate access for maintenance of any utilities located within the easement.

ADOPTED: March 29, 2011

/mms

INDEMNIFICATION AGREEMENT

This Indemnification Agreement is entered into by and between THE CITY OF CHATTANOOGA; TENNESSEE (hereinafter the "City"), and LARRY CRANE (hereinafter "Temporary User"), this 29th day of MARCH, 2011.

For and in consideration of the granting of the temporary usage of the 806 Browns Ferry Road Pump Station Property for access across City easement during high water, the receipt of which is hereby acknowledged, Temporary User agrees as follows:

1. Temporary User shall defend, and hold harmless the City of Chattanooga, Tennessee, its officers, agents and employees from any and all claims for damages for injuries to persons or property related to or arising out of the aforementioned temporary use.

2. Temporary User shall vacate the property and temporary use upon reasonable notice from the City to do so; the parties hereto agree that "reasonable notice" shall be deemed to be thirty (30) days. Temporary User shall restore the property to its original condition when it is returned to the City.

3. Temporary User shall provide adequate access for maintenance of any utilities located within the easement.

4-5-11, 2011
Date

BY: 
LARRY CRANE

4/1, 2011
Date

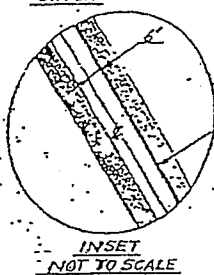
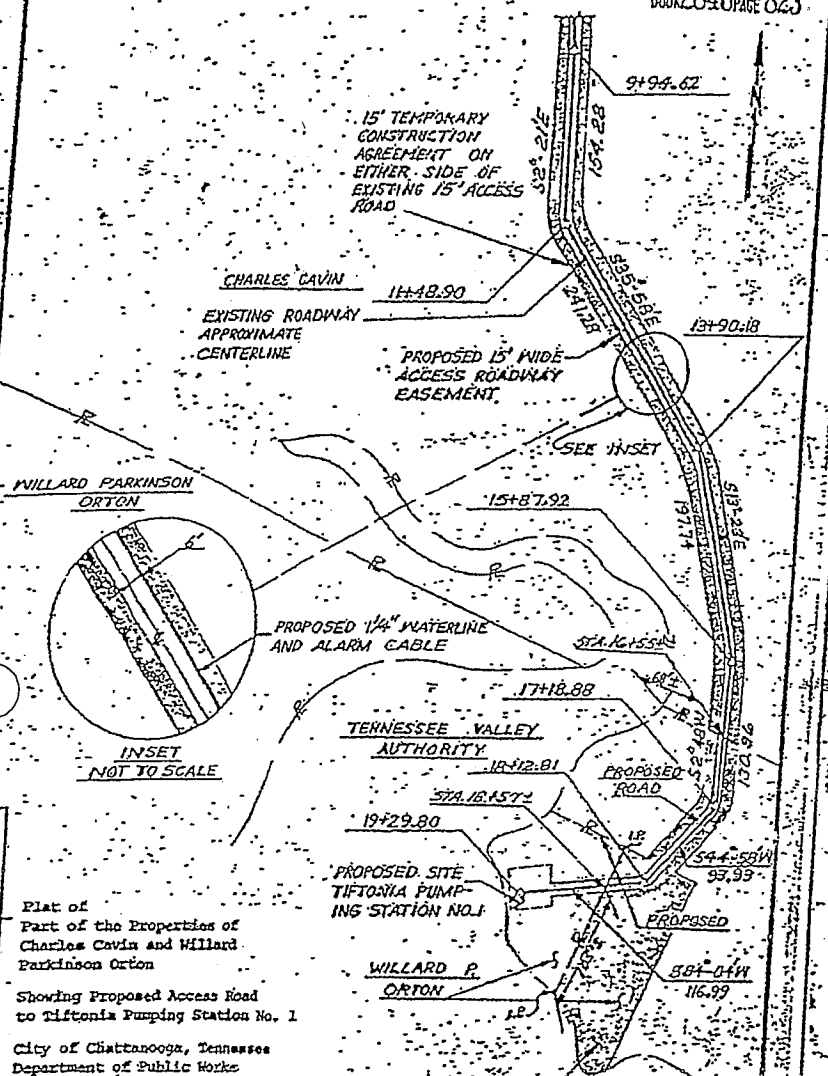
CITY OF CHATTANOOGA, TENNESSEE

BY: 
Ron Littlefield, Mayor

RECORDER'S MEMO
 Legibility of writing, typing or printing in this
 document unsatisfactory when received

22
 E.H.

BOOK 2840 PAGE 823



PLAT OF
 Part of the Properties of
 Charles Cavin and Willard
 Parkinson Orton
 Showing Proposed Access Road
 to Tiftonia Pumping Station No. 1
 City of Chattanooga, Tennessee
 Department of Public Works
 Paul F. Clark, Commissioner
 Ellis L. Spencer, City Engineer

Scale: 1" = 100'

Hensley-Schmidt, Inc.
 Consulting Engineers
 Chattanooga, Tennessee

Date: July 7, 1981

Drawing No. 6690-R/W-002

Line Data From: TIFTONIA PUMPING STATION NO. 1 ACCESS ROAD WATERLINE AND ALARM CABLE